

## AMENDMENTS TO THE CLAIMS

Please amend claims 1-8 and 11, and cancel claims 9-10 and 12-14 without prejudice, as shown in the following listing of claims, which will replace all prior versions and listings of claims in the application. Claims 1-8 and 11 had previously been elected with traverse, and claims 9-10 were rejoined by the Examiner. Claims 12-14 were non-elected. In order to further prosecution in a timely manner, claims 9-10 and 12-14 have been cancelled without prejudice to their pursuit in an appropriate continuation or divisional application.

### **Listing of claims:**

1 (currently amended).      [[A]] An isolated DNA containing uncoupling protein-2 (UCP-2) promoter region containing [[the]] a regulator sequence, wherein the regulator sequence is at least any one of the sequences selected from the group consisting of:

- a. a sequence containing peroxisome proliferator response element (PPRE) presented by position 284 to 296 of SEQ ID NO: 1;
- b. a sequence containing CCAAT/enhancer binding protein (C/EBP) binding sequence presented by position 1316 to 1320, position 1364 to 1368, or position 1698 to 1692 of SEQ ID NO: 1;
- c. a sequence containing glucocorticoid response element (GRE) presented by position 753 to 758, position 1023 to 1030, or position 1450 to 1455 of SEQ ID NO: 1; and
- d. a sequence containing MyoD presented by position 1428 to 1437 of SEQ ID NO: 1.

2 (currently amended).      [[A]] The isolated DNA described in claim 1 wherein the regulator sequence is a sequence containing peroxisome proliferator response element (PPRE).

3 (currently amended).      [[A]] The isolated DNA described in claim 1 wherein the regulator sequence is a sequence containing CCAAT/enhancer binding protein (C/EBP) binding sequence.

4 (currently amended).      [[A]] The isolated DNA described in claim 1 wherein the promoter region is a base sequence presented by position 1 to 2270 of SEQ ID NO: 1 or a base sequence containing a part of the said base sequence.

5 (currently amended).      A recombinant vector containing [[a]] the DNA described in claim 1.

6 (currently amended).      [[A]] The recombinant vector described in claim 5 containing a DNA containing a structural gene under control of UCP-2 promoter region containing a regulator sequence.

7 (currently amended).      A transformant transformed by [[a]] the recombinant vector described in claim 5.

8 (currently amended).      A method for screening a compound or its salt that promotes or inhibits UCP-2 promoter activity characterized by use of a transformant described in claim 7 measuring and comparing polypeptide expression between the transformant described in claim 7 contacted to test compounds and the transformant lacking the UDP-2 promoter contacted to the test compounds.

9. – 10. (cancelled)

11 (currently amended). A kit for screening a compound or its salt that promotes or inhibits UCP-2 promoter activity ~~characterized by use of a transformant described in claim 7~~, which consists of cell culture medium, cell differentiation medium, plasmid for measurement of UCP-2 promoter activity, host cell line and test compounds.

12. – 14. (cancelled)